

EOD 3-2-01



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U.S. DISTRICT COURT

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TX EASTERN-BEAUMONT

BY Brenda Carter

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CHARLES THURMOND, and
HAL LAPRAY,
Plaintiffs,
On Behalf of Themselves and All
Others Similarly Situated.

v.

COMPAQ COMPUTER CORPORATION,
Defendant.

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1:99-CV-0711 (TH/WR)
JURY

ORDER

For the reasons set forth in the Memorandum Opinion and Order to follow, the Court **GRANTS** Compaq's Motion for Summary Judgment on 1030 damages [389], and **DISMISSES** Plaintiffs' cause of action under Title 18 U.S.C. §1030(g) for failure to prove an essential element of their claim. Furthermore, the Court declines to exercise supplemental jurisdiction over Plaintiffs' breach of warranty claims, and **DISMISSES** those claims pursuant to Title 28 U.S.C. §1367(c) without prejudice for refiling in the appropriate forum.

This Order is entered in accordance with FED. R. CIV. P. 58, and serves as a **FINAL JUDGMENT** in this case. All other relief not expressly requested by the parties is hereby **DENIED**.

SO ORDERED.

Signed this 2nd day of March, 2001.


Thad Heartfield
United States District Judge